

MANSFIELD TOWNSHIP COMMITTEE MEETING

January 26, 2022

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Salute to the flag was done by all.

SWEARING IN CEREMONIES

Monica Orlando was sworn in as Acting Township Clerk by Mayor Watters.

Michael Camerata was sworn in as Sergeant by Acting Township Clerk Orlando.

Zachary Cregar was sworn in as Class II Police Officer by Acting Township Clerk Orlando.

PUBLIC PORTION – CONSENT AGENDA ITEMS

Mayor Watters opened the Public Portion of the meeting for comments on the Consent Agenda Items.

Seeing none, the Public Portion for Consent Agenda Items was closed.

CLERK'S REPORT

Mrs. Orlando's reported:

- Construction Scanning – Foveonics, our digital storage company is experiencing backlog due to COVID. They are prepping for Phase II to scan our construction files. Will come to show Mrs. Orlando how the system works.
- Network Security – Our IT company, Nisivoccia Consulting, will send a quote to upgrade our network security that is nine (9) years old. There is no anti-virus or protection against ransom ware attacks. Quote will cover three (3) years of updates of anti-virus, anti-ransom ware, upgrades. Approximate cost of equipment and installation upgrade is \$1,500.00.
- Planet Fitness – Grand opening is February 16, 2022 at 4:30 pm. Mrs. Mora Dillon and Mayor Watters will attend.
- Land Use Board Resignation – David Spender resigned from the LUB. An alternate will fill that position.

FINANCE REPORT

Mrs. Mollineaux reported:

One (1) contractual matter to be discussed in Executive Session.

EMPLOYEES' REPORTS

Mrs. Fascenelli reported:

- Mansfield Calendars – We are out of the first 100 ordered. Mrs. Fascenelli ordered an additional 25 ready for pickup either tomorrow or early next week. They are going over very well.
- Flea Market/Garage Sale – Green Team would like permission to hold this event at Caffareta Park where people can bring tables to sell their items. We will ask for a donation to rent a spot. Will need assistance from DPW, maybe Environmental Commission can help. Township Committee offered their assistance. Mrs. Mora Dillon suggested the flat area near the football field.

ENGINEER'S REPORT

Mr. Quanme from Ferriero Engineering reported:

- Discussion of January 21st report.
- Janes Chapel Road – Pre-Construction meeting last Wednesday. Gas company plans to start April 1st, will take 3-4 weeks to complete by May 1st. That timeline will work with our contractor. Will be a Distribution Line that our residents can tie into, not a transmission line as originally stated.
- Mr. Quanme contacted Ms. Hrebenak about Mt. Bethel Church to get a better understanding of the project. He will keep the project moving.
- Completed Municipal Aid Projects – State received the signed documents sent for Watters Road and will process. Heiser Road is next and the State received the documents sent for review. Airport Road is third. From approval it takes at least a month to receive payment.
- Mr. Ferriero is working with the new prosecutor on background details.
- Street Vacating – Mr. Quanme is working on the cost proposal for vacating Highview Terrace. There are three (3) parts for vacating. Mr. Lavery stated whomever it benefits is asked to pay for the survey. He explained the process of vacating.
- Recreation Pole Barn – Mr. Quanme doesn't have the plans, but has the specs. He will work with Mrs. Orlando so it can go out to bid again.

CONSENT AGENDA

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, Leonid Afonkin issued checks in May and December 2011 to the Township of Mansfield, County of Warren,

WHEREAS, there remains a balance of \$ 467.50 in the escrow account,

WHEREAS, the project is complete,

NOW, THEREFORE, BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 467.50 to Leonid Afonkin.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, Ordinance Numbers 2020-14, 2021-15, 2021-17 and 2021-20 establishes the salaries and wages for the employees of the Township of Mansfield, County of Warren;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employees shall be compensated for the year 2022, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Michael Camerata	Sergeant	\$ 106,329.00 commencing 1/26/22
Zachary Cregar	Class 2 Officer	\$ 40,000.00 commencing 2/01/22
Brian Kostenbader	Emergency Management Director	\$ 2,000.00
Nicholas Moorehead	Deputy Emergency Mgt. Director	\$ 534.00

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2021 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Township of Mansfield to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township of Mansfield Committee of the Township of Mansfield that the Township of Mansfield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli, Certified Recycling Professional to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be used solely for the purposes of recycling.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, N.J.S.A. 40A:9-140.10a. requires that the governing body of every municipality in New Jersey appoint a chief financial officer (“CFO”)

WHEREAS, the Township of Mansfield, Warren County has a need to appoint a CFO to such a term; and

WHEREAS, Donna M. Mollineaux has agreed to accept such appointment, effective January 1, 2022 through December 31, 2022; and

WHEREAS, Ms. Mollineaux meets the statutory qualifications to hold the position; and

WHEREAS, the appointment of Ms. Donna M. Mollineaux as CFO shall be part of a Shared Services agreement as authorized in Resolution 22-40;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Mansfield Township, County of Warren and State of New Jersey, that the appointment of Donna M. Mollineaux as CFO as described above is hereby authorized.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, the Township Committee (“Committee”) of the Township of Mansfield (“Township”) finds and declares that Jeffrey C. Gilbert (“Employee”) is an employee of Mansfield Township Police Department; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on paid leave as of January 17, 2022; and

WHEREAS, the Committee further finds and declares that the Employee has leave days accrued that could be used for salary compensation during the duration of his paid leave;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby grant paid leave to Township Employee, Jeffrey C. Gilbert, during the period of January 17, 2022 through March 14, 2022; and

BE IT FURTHER RESOLVED that the Acting Clerk be and is hereby directed to formally notify the Police and Firemen’s Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, the position of Municipal Prosecutor is appointed by the Township Committee; and

WHEREAS, the need may arise to have a substitute Municipal Prosecutor for circumstances where it is of absence or conflict;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey as follows: Nakicha Joseph, Michael Collins, Richard Ralph, Steve Siegel, and James Janci be appointed as Substitute Municipal Prosecutors for the year 2022.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

Whereas; William A. Sosis filed a records request with the Township of Mansfield's Custodian of Records pursuant to the Open Public Records Act ("OPRA") which sought certain executive session minutes; and

Whereas; Mr. Sosis alleged that the executive session minutes were not provided to him within the time required by the statute; and

Whereas; the Township asserted that the executive session minutes could not be produced within the statutory time limitation because the minutes required review prior to distribution to ascertain whether redactions were necessary; and

Whereas; Mr. Sosis instituted a lawsuit in the Superior Court of New Jersey, captioned as Sosis v Township of Mansfield, bearing Docket No.: WRN 368-21 (the "Lawsuit"); and

Whereas; the prevailing party in OPRA litigation is entitled to an award of attorney's fees and costs; and

Whereas; the parties have negotiated a settlement in the Lawsuit wherein the minutes were provided and a counsel fee in the amount of \$2658.34 shall be paid to Mr. Sosis's attorney;

Now therefore be it resolved; by the Township of Mansfield that it authorizes payment to be made in the amount of \$2658.34 to William A. Sosis's counsel in the Lawsuit, Walter M. Luers, Esq.

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$211,682.39
CAPITAL	
TRUST	\$
DOG	\$
RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$111.19
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$211,682.39

BILLS LIST	
CURRENT	\$2,668,388.12
CAPITAL	\$14,187.59
TRUST	\$6,953.64
DOG	\$19.34
RECREATION	\$
OPEN SPACE	
DEV ESCROW	\$2,145.30
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
OUTSIDE EMPLOY	\$
FORF ASSETS	\$
TOTAL	\$2,691,693.99

Mr. Hayes withdrew from D, E, & J.

Mr. Hayes made a motion to approve Resolutions A, B, C, F, G, H, I, & K which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters
 Nays: None
 Absent: None
 Abstain: None

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, Ronald Hayes issued a check dated 9/2/20 for a Land Use Board variance escrow to the Township of Mansfield, County of Warren; and

WHEREAS, there remains a balance of \$ 640.00 in the escrow account; and

WHEREAS, the Land Use Board Attorney has determined that the escrow balance can be refunded,

NOW, THEREFORE, BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 640.00 to Ronald Hayes.

Mr. Farino made a motion to approve Resolution D, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters
 Nays: None
 Absent: None
 Abstain: Mr. Hayes

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

Whereas; the Police Department is in need of an enclosed trailer for property and equipment storage; and

Whereas; William Harrington of Harrington Construction has an enclosed trailer that has been deemed surplus equipment for the company; and

Whereas; William Harrington of Harrington Construction has donated a trailer for the police department to use for storage;

Now therefore be it resolved; that the Township of Mansfield acknowledges and graciously accepts the donation of the enclosed trailer from William Harrington.

Mr. McGuinness made a motion to approve Resolution E, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Hayes

Be It Resolved,

By the Township Committee of Township of Mansfield, County of Warren, New Jersey, that:

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

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MANDATORY DEV	
OUTSIDE EMPLOY	

TOTAL	\$211,682.39
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BILLS LIST	
CURRENT	\$2,668,388.12
CAPITAL	\$14,187.59
TRUST	\$6,953.64
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RECREATION	\$
OPEN SPACE	
DEV ESCROW	\$2,145.30
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
OUTSIDE EMPLOY	\$
FORF ASSETS	\$
TOTAL	\$2,691,693.99

Mrs. Mora Dillon made a motion to approve Resolution J, which was seconded by Mr. McGuinness.

Ayes: Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino, Mr. Hayes

ANNOUNCEMENTS AND COMMITTEE COMMENTS

Mrs. Mora Dillon stated she and Mrs. Orlando attended last night's Recreation Meeting. A second-floor addition will be added to the Concession Stand and Announcer's Booth. Recreation is taking care of all permits.

PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for comments.

Mayor Watters asked for further comment from the public; seeing none, the public portion was closed.

EXECUTIVE SESSION

Mayor Watters announced moving into Executive Session at 8:16 pm.

Mrs. Mora Dillon made a motion to go into Executive Session at 8:16 pm, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery stated the Executive Session discussion will include:

- Two (2) personnel matters
- One (1) contractual matter
- Attorney/client privilege

RETURN FROM EXECUTIVE SESSION

Return from Executive Session at 9:40pm.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Mr. Lavery announced the return from Executive Session at 9:40 pm where they discussed:

- Personnel matter dealing with a Rice Notice
- Two (2) contractual matters
- Two (2) additional personnel matters

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mayor Watters will appoint Brian Bigham as Chairman of the Recreation Committee for 2022.

Mrs. Mora Dillon made a motion to adjourn at 9:02 pm, carried unanimously.